

By: Israel

H.B. No. 1138

A BILL TO BE ENTITLED

AN ACT

relating to the expansion of eligibility for medical assistance to certain persons under the federal Patient Protection and Affordable Care Act.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 32, Human Resources Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. EXPANSION OF ELIGIBILITY FOR MEDICAL ASSISTANCE

Sec. 32.301. DEFINITIONS. In this subchapter:

(1) "Commission" means the Health and Human Services Commission.

(2) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

Sec. 32.302. EXPANDED ELIGIBILITY FOR MEDICAL ASSISTANCE UNDER PATIENT PROTECTION AND AFFORDABLE CARE ACT. (a)

Notwithstanding any other law, the commission shall provide medical assistance to all persons who apply for that assistance and for whom federal matching funds are available under the Patient Protection and Affordable Care Act (Pub. L. No. 111-148) as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. No. 111-152) to provide that assistance.

(b) The executive commissioner shall adopt rules regarding the provision of medical assistance as required by this section.

Sec. 32.303. ANNUAL REPORT ON EXPANDED ELIGIBILITY FOR

1 MEDICAL ASSISTANCE. Not later than December 1 of each year, the
2 commission shall report to the governor, the lieutenant governor,
3 the speaker of the house of representatives, and the standing
4 committees of the senate and the house of representatives having
5 primary jurisdiction over the medical assistance program on the
6 effects of expanding eligibility for medical assistance under
7 Section 32.302, including the effects on:

8 (1) the number of persons in this state who do not have
9 health benefits coverage;

10 (2) state health care costs, including costs relating
11 to programs funded with money appropriated out of the general
12 revenue fund;

13 (3) local health care costs; and

14 (4) charity care and uncompensated care costs for
15 hospitals.

16 SECTION 2. Section 32.302, Human Resources Code, as added
17 by this Act, applies only to an initial determination or
18 recertification of eligibility of a person for medical assistance
19 under Chapter 32, Human Resources Code, made on or after January 1,
20 2016, regardless of the date the person applied for that
21 assistance.

22 SECTION 3. As soon as possible after the effective date of
23 this Act, the executive commissioner of the Health and Human
24 Services Commission shall take all necessary actions to expand
25 eligibility for medical assistance under Chapter 32, Human
26 Resources Code, in accordance with Section 32.302, Human Resources
27 Code, as added by this Act, including notifying appropriate federal

1 agencies of that expanded eligibility. If before implementing any
2 provision of this Act a state agency determines that any other
3 waiver or authorization from a federal agency is necessary for
4 implementation of that provision, the agency affected by the
5 provision shall request the waiver or authorization and may delay
6 implementing that provision until the waiver or authorization is
7 granted.

8 SECTION 4. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2015.